



General Assembly

January Session, 2003

***Raised Bill No. 930***

LCO No. 3019

Referred to Committee on Transportation

Introduced by:  
(TRA)

***AN ACT EXPEDITING THE DISPOSAL OF UNIDENTIFIABLE MOTOR VEHICLES TAKEN INTO CUSTODY BY THE DEPARTMENT OF MOTOR VEHICLES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Section 14-149 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective July 1, 2003*):

3       (a) No person shall purchase, sell or have in such person's  
4       possession any motor vehicle, including construction equipment, or a  
5       major component part thereof, as defined in section 14-67h, or  
6       agricultural tractors or farm implements with a mutilated, altered or  
7       removed vehicle identification, factory or engine number or a number  
8       which shows evidence of having been tampered with, except as  
9       hereinafter provided.

10       (b) Any officer attached to an organized police department, any  
11       state police officer or inspector of the Department of Motor Vehicles,  
12       upon discovery of any motor vehicle, including construction  
13       equipment, or major component part thereof, as defined in section 14-  
14       67h, or agricultural tractors or farm implements, the vehicle

15 identification, engine or factory number of which has been mutilated,  
16 altered or removed, shall take such motor vehicle or major component  
17 part if not affixed to such vehicle, or agricultural tractor or farm  
18 implement into [such officer's] custody. [Any] Except as provided in  
19 subsection (c) of this section, any such motor vehicle or major  
20 component part or agricultural tractor or farm implement shall be  
21 disposed of in accordance with the provisions of section 54-36a, and, in  
22 the case of a motor vehicle for which the owner, registration or title has  
23 been identified, a report of such action shall be made to the  
24 Commissioner of Motor Vehicles. Such officer or inspector may take  
25 into custody the operator of such motor vehicle or agricultural tractor  
26 or farm implement or person in possession of such part and present  
27 such operator or person before a proper court. No such operator or  
28 person shall be discharged from custody until such operator or person  
29 has proved to the satisfaction of the court the ownership of such motor  
30 vehicle or such part or such agricultural tractor or farm implement and  
31 such operator's or person's right to its custody, provided any such  
32 operator or person may be admitted to bail pending proceedings  
33 thereon. If such operator or person is unable to establish ownership of  
34 such motor vehicle or such part or such agricultural tractor or farm  
35 implement to the satisfaction of the court, the court shall order such  
36 motor vehicle or part to be forfeited and turned over to the police  
37 department or agency whose officer or inspector seized such motor  
38 vehicle or part or agricultural tractor or farm implement to be used for  
39 such department or agency's purposes or sold at auction with the  
40 proceeds given to such department or agency. No officer or inspector  
41 shall be personally liable for any official act [done] performed under  
42 the provisions of this section.

43 (c) Any inspector of the Department of Motor Vehicles, upon  
44 discovery of any motor vehicle or major component part, the vehicle  
45 identification, engine or factory number of which has been mutilated,  
46 altered or removed in the possession of any licensee of the department,  
47 including a new or used car dealer who has been issued an auction  
48 permit in accordance with the provisions of section 14-65, or a motor

49 vehicle dealer or repairer authorized to tow or transport and store  
50 motor vehicles in accordance with the provisions of section 14-66, shall  
51 take such motor vehicle or major component part into custody. If the  
52 motor vehicle or major component part is owned by any such licensee  
53 or an insurance company, or if such licensee or insurance company has  
54 the right to transfer and dispose of such vehicle or major component  
55 part, the Commissioner of Motor Vehicles may, upon receipt of  
56 transfer of title or forfeiture of all right and interest therein and  
57 notwithstanding the method of disposition required under subsection  
58 (b) of this section, make any disposition of such motor vehicle or major  
59 component part that the commissioner deems necessary or advisable.  
60 The provisions of this subsection shall apply to construction  
61 equipment, agricultural tractors or farm implements, the vehicle  
62 identification, engine or factory number of which has been mutilated,  
63 altered or removed.

64       [(c)] (d) Any officer attached to an organized police department, any  
65 state police officer or inspector of the Department of Motor Vehicles,  
66 upon discovery of any motor vehicle, construction equipment,  
67 agricultural tractor or farm implement which has been reported as  
68 stolen, shall take such motor vehicle, construction equipment,  
69 agricultural tractor or farm implement into [such officer's] custody and  
70 have it returned to its rightful owner or, if such owner cannot be  
71 determined or if such motor vehicle, construction equipment,  
72 agricultural tractor or farm implement is needed for evidence, shall  
73 have it taken to and stored in a suitable place.

74       [(d)] (e) No motor vehicle shall be registered unless it has  
75 permanently cut, impressed or embossed on some portion thereof a  
76 factory, serial or identification number or mark. Any person who  
77 knowingly has in such person's possession any motor vehicle,  
78 construction equipment, agricultural tractor or farm implement from  
79 which the factory, serial or other identification number has been  
80 removed, defaced, obliterated or changed shall [forthwith]  
81 immediately file with the commissioner a sworn statement describing

82 such motor vehicle, construction equipment, agricultural tractor or  
 83 farm implement and showing the source of such person's title and, if  
 84 known, the reason for such removal, defacement, obliteration or  
 85 change, together with a fee in the amount of fifty dollars. If satisfied as  
 86 to the facts, the commissioner may grant permission to cut, impress or  
 87 emboss permanently into the motor of such motor vehicle,  
 88 construction equipment, agricultural tractor or farm implement a  
 89 special identification number or mark which shall thereafter be  
 90 deemed sufficient for the purpose of registration of such motor vehicle,  
 91 construction equipment, agricultural tractor or farm implement. No  
 92 person shall wilfully remove, deface, obliterate or change or cause to  
 93 be removed, obliterated, defaced or changed any factory, serial or  
 94 other identification number or mark on or from any motor vehicle,  
 95 construction equipment, agricultural tractor or farm implement.

96 [(e)] (f) Any person who violates any provision of this section shall,  
 97 for the first offense, be fined not more than two thousand five hundred  
 98 dollars or imprisoned not more than three years, or both, and, for the  
 99 second or subsequent offense, be fined not more than five thousand  
 100 dollars or imprisoned not more than five years, or both.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>

***Statement of Purpose:***

To expedite the disposal of unidentifiable, junk motor vehicles in the possession of any licensee of the Department of Motor Vehicles by allowing the Commissioner of Motor Vehicles to act without applying for a court order. Currently, the Department of Motor Vehicles requests assistance and authorization from the Attorney General's Office and the courts.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*